UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,600	11/10/2003	James A. Brewer	016295.1456 (DC-05252)	5576

			EXAMINER
23640	7590	03/22/2006	CONNOLLY, MARK A

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ART UNIT	PAPER NUMBER
2115	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/705,600	BREWER ET AL.
	Examiner	Art Unit
	Mark Connolly	2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 November 2003</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final. ·

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5,8,9,11,12,14-20,24-26 and 28* is/are rejected.

7)☒ Claim(s) *3,6,7,10,13,21-23 and 27* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-28 have been presented for examination.

Claim Objections

2.   Claim 27 is objected to because of the following informalities: "two preventing the

aggregate current draw" has been interpreted as "two prevent the aggregate current draw."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

4.   Claim 3 recites the limitation "the circuit breaker" in line 3. There is insufficient

antecedent basis for this limitation in the claim. For examination purposes, "the circuit breaker"

has been interpreted as "a circuit breaker."

5.   Claim 22 recites the limitation "the power line data interface" in line 5. There is

insufficient antecedent basis for this limitation in the claim. For examination purposes, claim 22

has been interpreted to be dependent from claim 21, which does recite the "power line data

interface" limitation.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this
> or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country.or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1-2, 4, 8, 11-12, 14-17 and 24-25 are rejected under 35 U.S.C. 102(b) as being

anticipated by Oprescu et al [Oprescu] US Pat No 5842027.

8.   Referring to claim 1, Oprescu teaches the invention substantially including:

a.   storing an aggregate power limit for a group of information handling systems [fig.

1, col. 1 lines 24-27, col. 4 lines 41-43 and col. 8 lines 1-19].

b.   monitoring individual power consumption levels for the information handling

systems [col. 8 lines 1-19].

c.   automatically calculating an aggregate power consumption for the group of

information handling systems, based on the individual power consumption levels [col. 8

lines 1-19].

d.   automatically determining whether the aggregate power consumption for the

group of information handling systems approaches the aggregate power limit [col. 8 line

43- col. 9 line 13].

e.   in response to determining that the aggregate power consumption approaches the

aggregate power limit, automatically selecting at least one information handling system

among the group for power reduction [col. 8 line 66- col. 9 line 13].

f.   in response to determining that the aggregate power consumption approaches the

aggregate power limit, automatically communicating with the selected information

handling system to cause the selected information handling system to reduce power

consumption [col. 8 line 66- col. 9 line 13].

9.   Referring to claim 2, Oprescu teaches receiving power information from the systems via

a power line [col. 4 lines 44-45 and col. 7 lines 22-33].

10.   Referring to claim 4, Oprescu teaches communicating with the systems via a power line [col. 4 lines 44-47].

11.   Referring to claim 8, Oprescu teaches that power requirements are hardwired into a physical interface chip [col. 7 lines 38-42]. Power requirements are interpreted as comprising a power limit.

12.   Referring to claims 11 and 12, Oprescu teaches receiving a request to modify power consumption and determining if granting the request would exceed an aggregate power limit [col. 7 lines 55-67 and col. 8 line 66-col. 9 line 9].

13.   Referring to claims 14 and 15, these are rejected on the same basis as set forth hereinabove. In addition, Oprescu teaches monitoring a system to determine when it is necessary to adjust a power level/operational state of that system [col. 5 line 62-col. 6 line 4]. It should be apparent that this determination would be found in each system connected to bus 12 so that power may be controlled on demand.

14.   Referring to claim 16 and 17, these are rejected on the same basis as set forth hereinabove. Furthermore, Oprescu teaches that power manager 50 receives power information from the devices connected to bus 12 [col. 5 lines 33-42]. It is inherent that there exists an interface between the power manager 50 and the multiple computers connected to bus 12.

15.   Referring to claims 24 and 25, these are rejected on the same basis as set forth hereinabove.

16.   Claim 28 is rejected under 35 U.S.C. 102(b) as being anticipated by Tomlinson et al [Tomlinson] US Pub. No. 2002/0104031.

17.   Referring to claim 28, Tomlinson teaches:

g.   receiving, at a computer, user input that specifies a current limit for the computer [¶ 0010 and 0069].

h.   receiving current information from a current level detection module in the computer [abstract and ¶ 0011].

i.   automatically throttling current draw of the computer to prevent the current draw from exceeding the current limit, based on the current limit and the current information [abstract].

18.   Claims 18 and 19 are rejected under 35 U.S.C. 102(a) as being anticipated by Lee US Pub. No. 2004/0148060.

19.   Referring to claim 18, Lee teaches the invention including:

j.   a power level detection module operable to communicate with a power level manager [¶'s 0017-0018].

k.   a power control module operable to communicate with the power level manager [¶'s 0018 and 0022].

l.   the power level manager detection module monitors power consumption for the information handling system [¶'s 0017 and 0022].

m.   the information handling system automatically transmits power level data to the power level manager based on the monitored power consumption [¶ 0018].

n.   the power control module receives power control data from the power level manager [¶ 0018].

o.   the power control module automatically adjusts power consumption of the

information handling system, in accordance with the power control data received from

the power level manager [¶ 0018].

20.   Referring to claim 19, Lee teaches controlling power based on the values Imax and Vmax

which are interpreted as power threshold settings [¶'s 0020 and 0022].

Claim Rejections - 35 USC § 103

21.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

22.   Claims 1, 5, 9, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lee as applied to claims 18 and 19 above.

23.   Referring to claim 1, Lee teaches the invention including:

p.   storing an aggregate power limit for a group of information handling systems [¶

0020].

q.   monitoring individual power consumption levels for the information handling

systems [¶'s 0017-0018].

r.   automatically calculating an aggregate power consumption for the group of

information handling systems, based on the individual power consumption levels [¶

0017].

s.   automatically determining whether the aggregate power consumption for the

group of information handling systems approaches the aggregate power limit [104 fig. 2].

t.   in response to determining that the aggregate power consumption approaches the

aggregate power limit, automatically selecting at least one information handling system

among the group for power reduction [¶ 0023].

Although a power/current controller incorporated into the control device 2 which controls

and manages current being supplied to the plurality of computers, it would have been obvious to

one of ordinary skill in the art that the current control modules could be relocated and

incorporated into each of the plurality of computers thus reducing the number of components

within control device 2 thereby simplifying the control device. With the power/current controller

being relocated into the plurality of computers, it is obvious that control device 2 would

communicate with the computers via power/current controller in order to reduce the computers

power consumption.

24.   Referring to claim 5, Lee teaches receiving power information from power level

detection modules [¶ 0017]. Current detection circuits and the current signals being supplied

from the current detection circuits are interpreted as power detection circuits and power

information respectively since power is calculated from the returned current signals.

25.   Referring to claim 9, Lee teaches having preset priority values [¶ 0030].

26.   Referring to claim 20, although Lee teaches that a power level detection module coupled

between the power supply and the plurality of loads [fig. 1] it would have been obvious to one of

ordinary skill in the art that the power level detection could be relocated and incorporated into

the power supply itself thereby creating a smaller highly integrated power distribution system.

Furthermore, Lee teaches converting an AC/DC converter [¶ 0016].

27.   Referring to claim 26, this is rejected on the same basis as set forth hereinabove. In

addition, Lee teaches that the loads may constitute notebook or desktop computers [¶ 0016].

Although the power/current controller incorporated into the control device 2 which controls and

manages current being supplied to the plurality of computers, it would have been obvious to one

of ordinary skill in the art that the current control modules could be relocated and incorporated

into each of the plurality of computers thus reducing the number of components within control

device 2 thereby simplifying the control device.

Allowable Subject Matter

28.   Claims 3, 6-7, 10, 13, 21-23, 27 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

Conclusion

29.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mark Connolly whose telephone number is (571) 272-3666. The

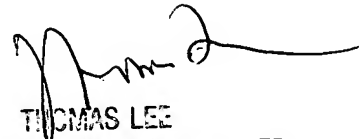examiner can normally be reached on M-F 8AM-5PM (except every first Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas C. Lee can be reached on (571) 272-3667. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Connolly
Examiner
Art Unit 2115

mc
March 15, 2006

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